

marrying the same sex is okay and a given right to people. This country is socially going down hill through the decisions made by the government and the people and this ruling was just another step towards this fall.

INTRODUCTION OF THE EMERGENCY FINANCIAL MANAGER REFORM ACT OF 2016

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 16, 2016

Mr. CONYERS. Mr. Speaker, the Emergency Financial Manager Reform Act of 2016 is intended to ensure that state-appointed emergency financial managers for municipalities in fiscal distress do not violate Constitutional protections, ensure public health and safety, and are accountable stewards of taxpayer funds. The bill responds to problems presented when unaccountable emergency financial managers usurp local elected officials and unilaterally make decisions that jeopardize public health and safety.

Across our Nation, there are many cities in financial distress still struggling to recover from the Great Recession and other factors undermining their economic recovery. While most states work cooperatively with their cities to foster economic stability and growth, others such as my home state of Michigan, use draconian, autocratic laws that usurp local elected officials and replace them with unaccountable political appointees—typically known as emergency financial managers—who, through their vast powers, can jeopardize the health and safety of those who live and work in these struggling cities.

In Michigan, for example, the root cause of the hazardous condition of Flint's lead-contaminated drinking water and the Detroit Public School System's buildings is the unaccountable emergency financial managers appointed by our Governor, Rick Snyder. This law and its implementation threaten not only our citizens' health and safety, but our fundamental Constitutional values and principles.

In addition, extreme emergency financial manager laws frequently facilitate conflicts of interest and mismanagement and can be used to contravene important federal and state constitutional protections for collective bargaining agreements. They can authorize emergency financial managers to unilaterally reject collective bargaining agreements and other contractual obligations and thereby negate years of hard earned worker pension benefits. These are not just problems in Michigan, as it has been suggested that Atlantic City, which is also in financial distress, be taken over by an unaccountable emergency financial manager with broad powers similar to those available in Michigan.

The Emergency Financial Manager Reform Act responds to these serious concerns by authorizing the Attorney General to reallocate five percent of the law enforcement funds that would otherwise be allocated to a state under the Edward Byrne Justice Assistance Grant Program (Byrne-JAG), which provides funding to states for law enforcement purposes, if it is determined that the state appointed emergency financial manager violates any one of seven common sense safeguards:

Protection Against Discriminatory Impact on Voting—This provision requires the state that has appointed an emergency financial manager to submit a certification to the Attorney General (and every 18 months after such appointment if the tenure of the emergency financial manager continues beyond such period) that the appointment: (A) has neither the purpose nor the effect of denying, abridging, or diluting the right to vote on account of race or color; and (B) the community for which the emergency financial manager is sought to be appointed has had an opportunity to comment, on the impact of such appointment may have on voting rights.

Protection Against States Ignoring Adverse Impacts on Voting Rights—This provision requires the Attorney General to receive copies of all public comments submitted in response to the notice required above and to interpose an objection to the certification.

Protection Against Harm to Public Health and Safety—This provision requires the emergency financial manager before making decisions affecting public health or safety, including the disbursement of any emergency funds provided by any federal or state entity for the purpose of addressing lead or other contamination of drinking water in a public water system, to receive prior approval from the governor and local elected officials.

Protection Against Conflicts of Interest, Mismanagement, and Abuse of Discretion—This provision requires the emergency financial manager to have adequate oversight to ensure against conflicts of interest, mismanagement, and abuse of discretion.

Protection Against Unilateral Rejection of Other Contracts—This provision provides that the emergency financial manager may not reject, modify, or terminate an existing contract without mutual consent or unless such rejection, modification, or termination is approved by a federal bankruptcy court.

Protection Against Rejection of Collective Bargaining Agreements—This provision provides that the emergency financial manager may not reject, modify, or terminate a collective bargaining agreement without mutual consent of the parties.

Protection Against the Failure to Provide Public Notice and Opportunity to Comment—This provision ensures that the public—before an emergency financial manager is appointed—is provided notice and the opportunity to comment on whether the appointee has any conflicts of interest, whether he or she has the requisite experience and financial acumen, and whether the appointee is empowered to propose sources of financial assistance, such as loans, grants and revenue sharing. The public must also be given the name of a state official designated to receive complaints from the public about the appointee's conflicts of interest, mismanagement, or dereliction of duty.

The objective of the legislation is not to deny Byrne-JAG grant funds, but rather to incentivize the states to protect their citizens against these risks and abuses when emergency financial managers are appointed. However, if in the event the funds are withheld, they are directly reallocated to the local government for which an emergency financial manager is appointed.

We can and must stand together to make sure that the unaccountable emergency financial managers responsible for these man-

made disasters—and the legal system that empowered them—are not permitted to inflict further harm on our citizens.

TRIBUTE TO PRINCE GEORGE'S COUNTY POLICE OFFICER JACAI COLSON

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 16, 2016

Mr. VAN HOLLEN. Mr. Speaker, I rise to offer my condolences and prayers to the family of Prince George's Police Officer Jacai Colson, who died in the line of duty last Sunday just before his 29th birthday. The senseless, callous, and unprovoked death of Officer Colson reminds us that our men in blue risk their lives every day for our safety. In his four years of service on the force, Officer Colson was dedicated to his community. His friends and family describe him as a natural leader with an infectious smile who followed in his grandfather's footsteps to become a police officer. Officer Colson served as an undercover narcotics officer and was placed frequently in high risk situations—risks that he took because he knew he was making a difference. Our community lost a true hero who every day put his life at risk for the rest of us. His loss is a tragedy for his family, his fellow officers, and our State. I offer my deep condolences to all who knew Officer Colson in this time of grief.

PERSONAL EXPLANATION

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 16, 2016

Mr. COSTA. Mr. Speaker, I was unable to be present for votes taken on the House floor on March 3, 2016, and March 14, 2016, as I was unavoidably detained.

Had I been present, I would have voted 'NO' on Roll Call Vote Number 106, 'NO' on Roll Call Vote Number 107, 'AYE' on Roll Call Vote Number 108, 'YES' on Roll Call Vote Number 109, 'NO' on Roll Call Vote Number 110, 'AYE' on Roll Call Vote Number 111, 'AYE' on Roll Call Vote Number 112, and 'AYE' on Roll Call Vote Number 113.

TRIBUTE TO EAGLE SCOUT ANDREW JONES

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 16, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Andrew Jones of Boy Scout Troop 729 in Treynor, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained for more than a century.